

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: )  
Klaus Dieter Arich )  
Serial No.: 10/804,365 ) Art Unit: 3722  
Filed: March 19, 2004 ) Examiner: WILLIAMS, Jamila O.  
For: DUST COLLECTION UNIT ) Docket No.: P-US-PR 1095

Commissioner for Patents  
Alexandria, VA 22313-1450

I hereby appoint HARNESS DICKEY Customer No. 27572, as our associate counsel with full power to prosecute and inspect the subject patent application in the U.S. Patent and Trademark Office.

Please continue to send all correspondence and official communications as before.

Respectfully submitted,

Michael P. Leary  
Sr. Group Patent Counsel  
Reg. No. 41,144

Date:

Michael P. Leary  
Sr. Group Patent Counsel  
The Black & Decker Corporation  
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(410) 716-2773  
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IFD/BP  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/804,365

Filing Date: March 19, 2004

Applicant: Klaus-Dieter Arich

Group Art Unit: 3722

Examiner: Jamila O. Williams

Title: Dust Collection Unit

Attorney Docket: 0275L-001105

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Sir:

While Applicant believes that the claims are allowable, Applicant does not acquiesce that patentability resides solely in the identified feature or combination of features, exactly as expressed by the Examiner, or that the feature or combination of features identified is required for patentability, or that equivalents of any of the recited features are outside the scope of the claims. Moreover, to the extent the Reasons For Allowance do not separately address the subject matter of each claim, Applicant does

not acquiesce to any inference that any one claim does not present patentable subject matter independent of any other claim.

Respectfully submitted,

Dated: April 18, 2005

By:   
Christopher M. Brock  
Reg. No. 27313

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

CMB:jb



## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/804,365
		Filing Date	March 19, 2004
		First Named Inventor	Klaus-Dieter Arich
		Art Unit	3722
		Examiner Name	Jamila O. Williams
Total Number of Pages in This Submission		Attorney Docket Number	0275L-001105

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  <b>Appointment and Power of Attorney</b>
		<b>Remarks</b>  The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2548. A duplicate copy of this sheet is enclosed.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Christopher M. Brock	Reg. No. 27313
Signature			
Date	April 18, 2005		

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

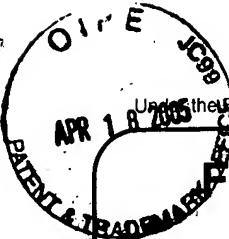
Typed or printed name	Christopher M. Brock	Express Mail Label No.	EV 570 162 485 US (4/18/2005)
Signature		Date	April 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**EV 570 162 485 US**

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1020)

## Complete if Known

Application Number	10/804,365
Filing Date	March 19, 2004
First Named Inventor	Klaus-Dieter Arich
Examiner Name	Jamila O. Williams
Art Unit	3722
Attorney Docket No.	0275L-001105

## METHOD OF PAYMENT (check all that apply)

 Check    Credit card    Money    Other    None  
 Order
  Deposit Account:

Deposit Account Number	02-2548
Deposit Account Name	Black & Decker (U.S.) Inc.

## The Director Is authorized to: (check all that apply)

- 
- Charge fee(s) indicated below
- 
- Credit any overpayments
- 
- 
- Charge any additional fee(s) or any underpayment of fees under 37 CFR 1.16 and 1.17
- 
- 
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee	
1001	2001	790 395	Utility filing fee
1002	2002	350 175	Design filing fee
1003	2003	550 275	Plant filing fee
1004	2004	790 395	Reissue filing fee
1005	2005	160 80	Provisional filing fee
<b>SUBTOTAL (1)</b>		(\$ 0)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20 **	= 0	X 0 = 0
			-3 **	= 0	X 0 = 0
				X 0	= 0

## Large Entity

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee	
1202	2202	50 25	Claims in excess of 20
1201	2201	200 100	Independent claims in excess of 3
1203	2203	360 180	Multiple dependent claim, if not paid
1204	2204	200 100	** Reissue independent claims over original patent
1205	2205	50 25	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		(\$ 0)	

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	Fee	
1051	130	2051 65	Surcharge - late filing fee or oath
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053 130	Non-English specification
1812	2,520	1812 2,520	For filing a request for ex parte reexamination
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
1251	120	2251 60	Extension for reply within first month
1252	450	2252 225	Extension for reply within second month
1253	1020	2253 510	Extension for reply within third month
1254	1590	2254 795	Extension for reply within fourth month
1255	2160	2255 1080	Extension for reply within fifth month
1401	500	2401 250	Notice of Appeal
1402	500	2402 250	Filing a brief in support of an appeal
1403	1000	2403 500	Request for oral hearing
1451	1,510	1451 1,510	Petition to institute a public use proceeding
1452	500	2452 250	Petition to revive - unavoidable
1453	1500	2453 750	Petition to revive - unintentional
1501	1400	2501 700	Utility issue fee (or reissue)
1502	800	2502 400	Design issue fee
1503	1100	2503 550	Plant issue fee
1460	130	1460 130	Petitions to the Commissioner
1807	50	1807 50	Processing fee under 37 CFR 1.17 (q)
1806	180	1806 180	Submission of Information Disclosure Stmt
8021	40	8021 40	Recording each patent assignment per property (times number of properties)
1809	790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))
1801	790	2801 395	Request for Continued Examination (RCE)
1802	900	1802 900	Request for expedited examination of a design application

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1020)

## SUBMITTED BY

Name (Print/Type)	Christopher M. Brock	Registration No. (Attorney/Agent)	27313	Telephone	248-641-1600
Signature				Date	April 18, 2005